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<b>TRANSMITTAL FORM</b>  <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/551,874
	Filing Date	September 30, 2005
	First Named Inventor	RUSSWURM
	Art Unit	
	Examiner Name	
Total Number of Pages in This Submission	Attorney Docket Number	9740-1

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Akerman Senterfitt/Nicholas Zachariades, Reg. No. 56,712 P.O. Box 3188 West Palm Beach FL 33402-3188
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Date	March 13, 2006

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: application of: RUSSWURM et al.

Appln No.: 10/551,874

Group:

Date Filed: September 30, 2005

Examiner:

For: METHOD FOR RECOGNIZING ACUTE GENERALIZED INFLAMMATORY  
CONDITIONS (SIRS), SEPSIS, SEPSIS-LIKE CONDITIONS AND SYSTEMIC  
INFECTIONS

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\_\_\_\_\_, Reg. No. 56,712  
Nicholas A. Zachariades, Ph.D.

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In accordance with the duty of disclosure under 37 C.F.R. §1.56, Applicants hereby notify the U.S. Patent Office of the documents which are listed on the attached Forms PTO/SB/08A and PTO/SB/08B. In accordance with the Rules in effect for applications filed after June 30, 2003, copies of the cited U.S. patents are not enclosed.

Submission of the listed documents is not intended as an admission that such documents constitute prior art against the present application. Applicants do not waive any right to take any action that would be appropriate to antedate or otherwise remove any of the listed documents as a competent reference against the present application. Applicants submit that the present invention is patentable over the cited references.

This Information Disclosure Statement is filed before the first office action on the merits in accordance with 37 C.F.R. 1.97(b)(3); therefore, no fee is believed to be due. However, if a fee is due, the Commissioner is hereby authorized to charge any deficiency in fees to Deposit Account No. 50-0951.

Respectfully submitted,

AKERMAN SENTERFITT

Dated: March 13, 2006



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Docket No. 9740-1

Substitute for form 1449/PTO

PTO/SB/08A (07-05)

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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

*(Use as many sheets as necessary)*

Sheet

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of

1

**Complete if Known**

Application Number

Filing Date

09/30/2005

First Named Inventor

RUSSWURM
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**Art Unit**

Examiner Name

Attorney Docket Number

9740-1

## U. S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)	MM-DD-YYYY			
		WO 1999/40434	08/12/1999	INVITROGEN		
		EP 1 270 740 A1	01/02/2003	SIRS-LAB GMBH		
		WO 2003/002763 A1	01/09/2003	SIRS-LAB GMBH		
		WO 2004/031412 A2	04/15/2004	ONCOTHERAPY SCIENCE		
		WO 2004/06778 A2	08/12/2004	UNIV. OF SOUTH FLORIDA		
		WO 2004/087949 A2	10/14/2004	SIRS-LAB GMBH		

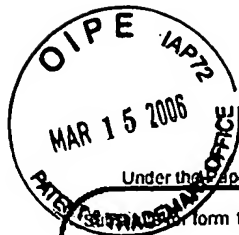
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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet

1

of

2

### Complete if Known

Application Number

Filing Date

09/30/2005

First Named Inventor

RUSSWURM

Art Unit

Examiner Name

Attorney Docket Number

9740-1

### NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		CHINNAIYAN et al., Molecular Signatures of Sepsis Multiorgan Gene Expression Profiles of Systemic Inflammation, Amer. J. Pathol., 159(4):1199-1209, 10/2001	
		YU et al., Differential gene expression in gram-negative and gram-positive sepsis, Am. J. Respir. Crit. Care Med., 169(10):1135-1143, 05/15/2004	
		SCHLAG et al., The cell in shock: the origin of multiple organ failure, Resuscitation, 21(2-3):137-180, 04/1991	
		PATHAN et al., The complexity of the inflammatory response to meningococcal sepsis revealed by gene expression profiling using cDNA microarrays, Critical Care Med., Bd. 30, Nr. 12, 12/2002	
		WIEGAND et al., Gene Expression Pattern in Human Monocytes as a Surrogate Marker for Systemic Inflammatory Response Syndrome (SIRS), Molecular Med., 5:192-202, 1999	
		PRUCHA et al., Expression Profiling: Toward an Application in Sepsis Diagnostics, Shock, 22(1):29-33, 07/2004	
		COBB et al., Sepsis gene expression profiling: Murine Splenic compared with hepatic responses determined by using complementary DNA microarrays, Crit. Care Med., 30(12):2711-2720, 12/2002	
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		BARRIERE et al., An overview of mortality risk prediction in sepsis, Crit. Care Med., 23(2):376-393, 1995	

Examiner  
Signature

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Sheet	2	of	2	Application Number	
				Filing Date	09/30/2005
				First Named Inventor	RUSSWURM
				Art Unit	
				Examiner Name	
				Attorney Docket Number	9740-1

### NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		BOWTELL, Options Available – From Start to Finish – for Obtaining Expression Data by Microarray, Nature Genetics Supplement, 21:25-32, 01/1999	
		MEMBERS OF THE AMERICAN COLLEGE OF CHEST PHYSICIANS, Definitions for Sepsis and Organ Failure and Guidelines for the Use of Innovative Therapies in Sepsis, Crit. Care Med, 20(6):864-874, 1992	
		HELLER et al., Discovery and Analysis of Inflammatory Disease-Related Genes Using cDNA Microarrays, Proc. Natl. Acad. Sci., 94:2150-2155, 03/1997	
		ROWE et al., An Array Immunosensor for Simultaneous Detection of Clinical Analytes, Anal. Chem., 71:433-439, 1999	
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		OBERHOFFER et al., Discriminative power of Inflammatory Markers for Prediction of Tumor Necrosis factor- $\alpha$ and Interleukin-6 in ICU Patients with Systemic Inflammatory Response Syndrome (SIRS) or Sepsis at Arbitrary Time Points, Int. Care Med, 26:S170-S174, 2000	

Examiner Signature		Date Considered	
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